



ITB 18-021363
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ATTORNEYS FOR THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW
YORK, AS TRUSTEE (CWMBS 2005-13)

Order Filed on March 11, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

IN RE:

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

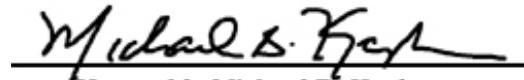
MITCHELL J STEINBERG, DEBTOR

CASE NO.: 16-21369-MBK
CHAPTER 13

ORDER APPROVING LOAN MODIFICATION

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

DATED: March 11, 2019



Honorable Michael B. Kaplan
United States Bankruptcy Judge

THIS MATTER having come before the Court upon the Secured Creditor's Notice of Motion for an Order approving a loan modification agreement, and Court having examined the evidence presented, and for good cause shown, it is hereby **ORDERED** as follows:

1. The Court hereby authorizes Secured Creditor and the debtor(s), to enter into a loan modification.
2. The loan modification agreement between the Secured Creditor and the Debtor, attached as an Exhibit to the Secured Creditor's motion, is approved.
3. In the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion of its Proof of Claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification.
4. The Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of loan modification and all money that would otherwise be paid to secured creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the secured creditor that the modification was not consummated.
5. In the event the modification is not consummated, the secured creditor shall notify the Trustee and debtor's attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to secured creditor.
6. In the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan.
7. Debtors shall file an amended Schedule J and Modified Plan within twenty (20) days of this order.
8. With respect to any post-petition orders, claims for post-petition mortgage arrears, and orders for creditor's attorney's fees which are being capitalized into the loan, secured creditor will amend any and all post-petition orders or claims within 30 days after completion of the loan modification.
9. The attorney's fees associated with the Secured Creditor's filing of this motion, in the amount of \$350.00 are deemed recoverable from the Debtor.
10. Communication and/or negotiations between Debtor and mortgagees/ mortgage servicers about the loan modification, and the recording of the loan modification, shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against other in any subsequent litigation.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
 Mitchell J. Steinberg
 Debtor

Case No. 16-21369-MBK
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Mar 11, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 13, 2019.

db +Mitchell J. Steinberg, 37 Walden Court, Old Bridge, NJ 08857-3572

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 13, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 11, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
 Charles G. Wohlrab on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
 AS TRUSTEE (CWMBS 2005-13) cwohrlab@logs.com, njbankruptcynotifications@logs.com

Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
 AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS INC., CHL MORTGAGE PASS-THROUGH TRUST 2005-13,
 MORTGAGE PASS THROUGH CERTIFICATES SERIES 2005-13 as dcarlon@kmllawgroup.com,
 bkgroup@kmllawgroup.com

Eamonn O'Hagan on behalf of Creditor United States of America (Internal Revenue Service)
 eamonn.ohagan@usdoj.gov

Eugene D. Roth on behalf of Debtor Mitchell J. Steinberg erothesq@gmail.com
 Hubert C. Cutolo on behalf of Creditor Heritage Woods Property Owners Association, Inc.
 hcutolo@cutololaw.com

Joel R. Glucksman on behalf of Creditor Old Bridge Municipal Utilities Authority
 jglucksman@scarincihollenbeck.com

John R. Morton, Jr. on behalf of Creditor CAB East LLC, serviced by Ford Motor Credit Company
 LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
 R. A. Lebron on behalf of Creditor DITECH FINANCIAL LLC, as servicer for THE BANK OF NEW YORK
 MELLON, F/K/A THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWMBS, INC.,
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TOTAL: 10